IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.2745 OF 2005.

WITH

CIVIL APPLICATION NO.2746 OF 2005

IN

FIRST APPEAL ST.11922 OF 2005.

The United India Insurance
Co.Ltd. : Appellants.

versus

Mr.Sayyad Rukumuddi Abdul Karim
& Anr. : Respondents.

Mr.S.M.Vidyarthi for the appellants.
Mr.T.J.Menon for the respondents.

CORAM : D.G.DESHPANDE,J.

DATED : 24th June 2005.

ORAL ORDER

1. Heard advocate for the appellants. The

civil application No.2745 of 2005 is for condonation of delay of 171 days. It is strongly opposed by the counsel for the respondents. No explanation much less satisfactory explanation is given by the appellant for the delay. However, looking to the facts and the issue involved, delay is condoned subject to payment of costs of Rs.5000/-. Costs to be deposited in this court within three weeks from today. Deposit of costs is a condition precedent. Respondents are allowed to withdraw the costs. Civil application is disposed.

2. So far as Civil application No.2746 of 2005 is concerned, the advocate for the appellants states that they have deposited entire decretal amount before the Commissioner, Workmen Compensation. In view of this statement, execution of the impugned order is stayed until further orders.

[D.G.DESHPANDE]

24/06/2005 JUDGE.